### Case 16-17774-ref Doc 43 Filed 08/15/18 Entered 08/16/18 01:25:39 Desc Imaged

Certificate of Notice Page 1 of 5
United States Bankruptcy Court
Eastern District of Pennsylvania

In re: Mark Steven Lewis Nancy G Lewis Debtors Case No. 16-17774-ref Chapter 13

#### CERTIFICATE OF NOTICE

District/off: 0313-4 User: Lisa Page 1 of 1 Date Rcvd: Aug 13, 2018

Form ID: pdf900 Total Noticed: 6

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on

Aug 15, 2018.

db/jdb Mark Steven Lewis, Nancy G Lewis, 2047 Fieldview Dr, Nazareth, PA 18064-8407

cr +Bank of America, N.A., c/o Prober & Raphael, A Law Corporation, 20750 Ventura Boulevard, Suite 100, Woodland Hills, CA 91364-6207

cr +Carrington Mortgage Services, LLC,, c/o PROBER & RAPHAEL, A LAW CORPORATION,

20750 Ventura Boulevard, Suite 100, Woodland Hills, CA 91364-6207 cr +Carrington Mortgage Services, LLC,, 1600 South Douglass Road, Anaheim, CA 92806-5951

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr E-mail/PDF: resurgentbknotifications@resurgent.com Aug 14 2018 01:51:09 CACH, LLC,

PO Box 10587, Greenville, SC 29603-0587 cr +E-mail/PDF: gecsedi@recoverycorp.com Aug 14 2018 01:51:43 Synchrony Bank,

c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 2

\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 15, 2018 Signature: /s/Joseph Speetjens

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 2018 at the address(es) listed below:

DENISE ELIZABETH CARLON on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmllawgroup.com FREDERICK L. REIGLE on behalf of Trustee FREDERICK L. REIGLE ecfmail@fredreiglech13.com, ecf\_frpa@trustee13.com

JASON BRETT SCHWARTZ on behalf of Creditor Bank of America, N.A. jschwartz@mesterschwartz.com, jottinger@mesterschwartz.com

LISA MARIE CIOTTI on behalf of Trustee FREDERICK L. REIGLE ecfmail@fredreiglech13.com, ecf\_frpa@trustee13.com

LYNN E. FELDMAN on behalf of Joint Debtor Nancy G Lewis feldmanfiling@rcn.com
LYNN E. FELDMAN on behalf of Debtor Mark Steven Lewis feldmanfiling@rcn.com
United States Trustee USTPRegion03.PH.ECF@usdoj.gov

WILLIAM MILLER\*R ecfemail@FredReigleCh13.com, ECF\_FRPA@Trustee13.com

TOTAL: 8

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## UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In the Matter of

Mark Steven Lewis and Nancy G Lewis aka Nancy Gibbons Lewis, Debtors

Bank of America, N.A., its assignees and/or successors in interest,

Movant

VS.

Mark Steven Lewis and Nancy G Lewis aka Nancy Gibbons Lewis, William C. Miller, Trustee, Respondents. CHAPTER 13

CASE NO. 16-17774-ref

HEARING DATE: 06/05/2018 HEARING TIME: 9:30 a.m.

LOCATION

U.S. Bankruptcy Court The Madison Building Courtroom No. 1 400 Washington Street Reading, PA 19601

### CONSENT ORDER RE MOTION FOR RELIEF

IT IS HEREBY CONSENTED by and between Movant, Bank of America, N.A., its assignees and/or successors in interest, through its retained counsel, Jason Brett Schwartz, Esquire, and Debtors Mark Steven Lewis and Nancy G. Lewis, through their counsel, Lynn E. Feldman, Esquire, and William C. Miller, Chapter 13 Trustee, as follows:

1. Debtors shall maintain the regular monthly payments on Movant's loan obligation, and otherwise comply with all other terms of the subject Note and Mortgage, including, but not limited to, the requirement to maintain insurance naming Movant as the loss payee, encumbering the subject Property, generally described as 2047 Fieldview Dr., Nazareth, Pennsylvania 18064-8407, in a timely fashion, commencing with the August 1, 2018 payment. Payments on Movant's loan obligation shall be made to Movant's servicing agent, Carrington Mortgage Services, LLC, Bankruptcy Department, P.O. Box 3730, Anaheim, CA 92806.

- 2. Debtors shall pay off arrearages in the total amount of \$12,886.60, representing the monthly payments (\$2,417.27 each) from March 2018 through July 2018, plus attorneys' fees and costs of \$1,031.00, less applied suspense of \$-230.75. Said arrearages shall be paid through the Debtors' Chapter 13 Plan. Within 30 days of entry of this Consent Order, Debtors shall amend the Chapter 13 Plan to reflect the addition of said arrears.
- 3. In the event Debtors fail to timely and properly comply with the payments set forth in Paragraph 1 or 2 hereinabove, or any other terms of the subject Note and Mortgage including, but not limited to, the requirement to maintain insurance naming Movant as the loss payee, Movant may e-mail and mail a Letter of Default to Debtors' counsel and mail to Debtors. Debtors shall have fifteen (15) days from the date of e-mailing and mailing of said Letter within which to cure the existing breach. If Debtors fail to do so, then on the sixteenth (16<sup>th</sup>) day, Movant shall serve and lodge a Certification of Default along with a final Order for Relief from the Automatic Stay. Upon the entry of said Order, the Automatic Stay in the above-entitled bankruptcy proceeding shall be immediately vacated and extinguished for all purposes as to Movant, allowing Movant to proceed with foreclosure of the subject Property, pursuant to applicable State law.
- 4. Any funds received by Movant, which are subsequently returned for non-sufficient funds, including funds received and applied prior to the terms of this Order, shall be subject to the default provisions contained herein.
- 5. Should Movant obtain relief from the automatic stay due to a breach of the terms of this Order, any Order for Relief from the Automatic Stay shall provide for the 14-day stay described by Bankruptcy Rule 4001(a)(3) to be waived.
  - 6. A Notice of Fees, Expenses, and Charges pursuant to Bankruptcy Rule 3002.1(c)

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is not required for the fees and costs included and disclosed as part this Order.

7. Debtors and Movant hereby acknowledge that except as modified by this Consent Order, all terms, conditions, rights and remedies contained in the loan documents shall remain in full force and effect and continue to remain valid and enforceable. Debtors further acknowledge and agree that this consent order is a supplement in addition to the loan documents and not in

lieu thereof.

8. The parties agree that a signature transmitted electronically or by facsimile shall be accorded the same force and effect, and may be submitted to the Court. Any amendments to this consent order must be in writing signed by both the Debtors and the Movant or their respective counsel.

Dated: (17/14

Respectfully submitted,

MESTER & SCHWARTZ, P.C.

/s/ Jason Brett Schwartz
Jason Brett Schwartz, Esquire
Retained Counsel for Movant
1333 Race Street
Philadelphia, PA 19107
Telephone (267) 909-9036
Facsimile (215) 665-1393
Email: jschwartz@mesterschwartz.com
FHAC.241-4803.NF

Dated: 8/7/2018

FELDMAN LAW OFFICES, P.C.

/s/ Lynn E. Feldman

Lynn E. Feldman, Esquire Attorney for Debtors 221 N. Cedar Crest Blvd. Allentown, PA 18104 Telephone (610) 530-8285 Facsimile (610) 437-7011

Email: feldmanfiling@rcn.com

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Dated: 4/6//8

OFFICE OF THE CHAPTER 13 TRUSTEE

William C. Miller - Chapter 13 Trustee 2901 St. Lawrence Avenue, Suite 100

Reading, PA 19606

Telephone (610) 779-1313

IT IS SO ORDERED

**Date: August 13, 2018** 

RICHARD E. FEHLING

CHIEF BANKRUPTCY JUDGE